

Official Minutes for Webb County Commissioners Court Meeting

Monday, May 23, 2005 at 1:00 PM and
continuing Tuesday, May 24, 2005 at 1:00 PM
(Approved 06-27-2005)

- Item No. 1 Call to order by Judge Louis H. Bruni
Let it be remembered that a regular meeting of the Webb County Commissioners Court was held at 1:00 p.m. at the regular meeting place with the following members present to wit:

Louis H. Bruni	County Judge
Frank Sciaraffa	Commissioner, Pct. 1
Judith Gutierrez	Commissioner, Pct. 2
Jerry Garza	Commissioner, Pct. 3
Cynthia Brunner	Commissioner, Pct. 4

Thus constituting a quorum, the Commissioners Court proceeded to act upon the Agenda as posted in the meeting notice of the 20th of May 2005. Present also were Ms. Nora Elia Prado, Deputy County Clerk representing Mrs. Margie Ramirez Ibarra, Ex-officio Clerk of the Commissioners Court, various officers and others interested in the business of the Court.

- Item No. 2 Roll Call – Margie Ramirez Ibarra, Webb County Clerk

- Item No. 3 Pledge of Allegiance – Led by All

- Item No. 4 Approval of minutes – April 25, 2005

Cmr. Gutierrez motioned to accept the minutes as presented. Cmr. Sciaraffa seconded the motion.

Motion carried 5-0 by unanimous consent.

- Item No. 5 Approval of bills, payroll and monthly reports

Ms. Delia Perales, County Treasurer, submitted her monthly report to the court. She stated that page 15 showed the payments from Fund 007 that will be due on June 1, 2005 but that the fund was currently in a deficit of \$6,500. She stated that she will be delaying payment to those groups until sufficient monies have been collected on that account. Cmr. Gutierrez stated that those organizations paid from Fund 007 depend on the county's contribution and was concerned about the effect that the delay would have on the organizations. Ms. Perales stated that they should receive sufficient funds to cover all expenses by the end of the fiscal year. Cmr. Gutierrez

stated that if the monies will be recouped by the end of the year, the payments due June 1, 2005 should be made.

Cmr. Cortez-Brunner motioned to pay those accounts under Fund 007 that are due on June 1, 2005. Cmr. Sciaraffa seconded the motion.

Motion carried 5-0 by unanimous consent.

Ms. Perales stated that on page 19, her report shows the monies that have been received for damage fees from Lewis Petro Properties. She commended her staff for doing a great job on bank reconciliations. She requested that Item No. 43 be brought up.

Cmr. Gutierrez motioned to approve the Treasurer's Monthly Report and move up Item No 43. Cmr. Garza seconded the motion.

Motion carried 5-0 by unanimous consent.

Item No. 43 Discussion and possible action to award two year (2005-2007) or four year term (2005-2009) bank depository contract as well as designating bank depository, based on award recommendation by the Webb County Treasurer, for funds belonging to Webb County as well as certain trust and court registry funds held by the Webb County District and County Clerk, and authorizing the County Judge to execute all relevant documents and any matters incident thereto

Judge Bruni motioned to go out for RFPs and hold the sole bidder's information as confidential and privileged. Cmr. Sciaraffa seconded the motion.

Ms. Delia Perales stated that RFP's had already been requested and only one bid was submitted. She stated that the notice was published on May 2, 2005 as required by law and bid packages were hand delivered to all the local banks. Cmr. Gutierrez stated that all the local banks were advised of the RFP's and stated that it would be wrong to penalize the only bank that actually submitted a proposal by requesting proposals once more. Mr. Homero Ramirez, County Attorney, stated that he felt that the court should go into Executive Session for consultation with attorney. He stated that this was allowed by the Texas Open Meetings Act even though it was not posted as an Executive Session item.

Cmr. Sciaraffa motioned to move into Executive Session. Cmr. Gutierrez seconded the motion.

Motion carried 5-0 by unanimous consent.

EXECUTIVE SESSION (1:42 PM to 1:54 PM)

Judge Bruni reconvened the meeting and stated that no action was taken while in Executive Session.

Judge Bruni retracted his motion. Cmr. Cortez-Brunner retracted her second.

Cmr. Gutierrez motioned to award the two year bank depository contract to IBC. Cmr. Garza seconded the motion.

Motion carried 5-0 by unanimous consent.

Item No. 6 Communications

Judge Bruni requested a moment of silence in memory of Mr. Ruben Cortez, Cmr. Cortez-Brunner's uncle.

Cmr. Sciaraffa offered his condolences to the family of Mr. Ruben Cortez, Cmr. Cortez-Brunner's uncle.

Cmr. Gutierrez offered his condolences to the family of Mr. Ruben Cortez, Cmr. Cortez-Brunner's uncle.

Cmr. Garza offered his condolences to the family of Mr. Ruben Cortez, Cmr. Cortez-Brunner's uncle.

Cmr. Cortez-Brunner thanked the court for their thoughts and prayers and congratulated all those recent graduates and wished them the best of luck.

Item No. 7 Public Comment

Ms. Maria T. Gutierrez was present to address Item No. 45. She thanked Judge Bruni for giving her the opportunity to speak before the court and stated that she met with Cmr. Gutierrez on Thursday at the Larga Vista Community Center.

Mr. Homero Ramirez, County Attorney, reminded the court and public that the public can address any matters that they wish but that the court cannot engage in dialogue or discussion with the speaker. He stated that there is no item posted for this type of discussion and can only confirm actions taken at previous meetings. He stated that the court cannot make any comments until after going into Executive Session.

Ms. Gutierrez stated that during her conversation with Cmr. Gutierrez, Cmr. Gutierrez stated that she did not understand why Mr. Francisco Gonzalez was terminated. She stated that what Cmr. Gutierrez stated to her during that meeting was untrue and could be proven because the meeting recording shows something very different. She stated that the court needs to be fair and impartial. She also stated that she was concerned about Ms. Alice Medina, former Indigent Director, filing a grievance against the county when she was hired as the new Larga Vista Director.

Ms. Rita E. Reyes was signed up to address Item No. 45 but was not present when called.

Ms. Claudia Bernal was present to address Item No. 45. She stated that the residents who attended Larga Vista want to know why Mr. Gonzalez was terminated or who they can go with to get a response. She stated that Mr. Gonzalez was a great help to everyone. She stated that Mr. Gonzalez's name was tarnished because of the allegations that have been raised against him.

Mr. Homero Ramirez, County Attorney, advised the court and public that the court had stated its reasons for terminating Mr. Gonzalez during the course of the evaluations and stated that there was a grievance process in place that was available to those who feel that were unjustly terminated.

Ms. Teresa Wright was present to address Item No. 45. She stated that the Larga Vista community is upset about what they feel was Mr. Gonzalez's unjust termination. She stated that he has always gone above and beyond the call of duty and wanted the court to rectify this matter and clear Mr. Gonzalez's name. She stated that he was a friend of the community and was always there to help the members of the community.

Ms. Martha Bustos was present to address Item No. 45. She stated that there was no need to repeat the comments made by other members of the public. She stated that the court needed to make a conscious effort to correct the wrongdoing and termination of Mr. Gonzalez.

Mr. Sergio Ponce was present to address Item No. 45. He stated that he did not agree with the comments made in the media about Mr. Gonzalez and stated that it was not just to remove him from his position when everything that he has done has been to help the community. He stated that Mr. Gonzalez served God and the government. He stated that this termination not only affected Mr. Gonzalez but the community and those around him. He stated that he has always helped people from the bottom of his heart.

Mr. William P. Alexander was present to address Item No. 12.

Judge Bruni motioned to move up Item No. 12. Cmr. Sciaraffa seconded the motion.

Motion carried 5-0 by unanimous consent.

Item No. 12 Report by Alexander Payphone Communications, Inc. on financial status of contract Webb County for providing public telephone service to the Webb County Jail, and the furnishing of long-distance telephone cards for sale at the jail commissary.

Mr. William P. Alexander, Alexander Payphone Communications, Inc., was present to address the court. He stated that the current year to date revenues for the county has been over \$171,000. He stated that the reason for this drop in revenues has been due to the decrease of federal inmates. He stated that with the recent increase of federal inmates, the revenues should increase as well. He stated that he was approached by the Sheriff's Department regarding the possibility of providing calling cards to inmates. He stated that an agreement would need to be made regarding

the division of revenues among the commissary, the jail and Alexander. Mr. Homero Ramirez, County Attorney, stated that he has been advised by the Sheriff's Department that they had no comment and stated that he would like to meet with Alexander and the Sheriff's Department to further discuss this item.

- Item No. 8 Status report on economic condition of employee's Health Benefit Fund, with discussion and possible action to direct staff to formulate alternative solutions as necessary to maintain a balanced budget, and meet with employee insurance needs.

Mr. Raul Casso, Chief of Staff, stated that after a change of directorship of the Risk Management Office, he was advised by Ms. Cynthia Mares, Risk Manager, of the deficit and the options available. He stated that he was unsure of whether the figure of \$1.7 million was correct and stated that this was due to the high number of claims filed that were not forecasted. He stated that two years ago, this fund was in the black and projected that for this year. Mr. Leo Flores, County Auditor, stated that though the budgeted amounts were not proper, it was the higher number of claims submitted that was the reason for the deficit. He hoped that this would be evened out by the end of the fiscal year. Mr. Casso stated that he was running a survey to compare the county's health insurance coverage with that offered in similar public and government entities. Cmr. Gutierrez stated that it should be very clear that there has not been enough funding for this fund. She stated that an item was introduced during the budget to increase the county's share of insurance contributions but was not adequately funded due to budget constraints. She stated that employee contributions have increased 100% without the increase of county contributions. Mr. Casso stated that he brought this item before the court so that it can be properly addressed. He stated that the proposed budget was approved by the court and the county's insurance committee did not recommend an increase in county contributions but accepted the proposed changes to the co-pays and deductibles paid by employees.

- Item No. 9 Discussion and possible action to authorize the firms of Winstead, Sechrest, & Minick, P.C. and Estrada & Hinojosa Estrada to proceed with preliminary matters related to the acquisition of CRTC building.

Mr. Homero Ramirez, County Attorney, stated that everything has been finalized and the contract should reach his office by tomorrow morning. Mr. Ramirez apologized to the court and stated that he confused this item with another. He stated that this item needed to be presented to the court. Mr. Leo Flores, County Auditor, stated that when the county purchased this building, bond monies were borrowed and paid back with rent monies. He stated that since the building is not being used, the county is paying the debt service for this property. He stated that a deed is needed to deed over the property from the Public Facility Corporation created by the county to Webb County so that the property can be placed on the county's property listings. He stated that the use could be used as the site for the county's proposed morgue and monies set aside for property acquisition could be used to pay for part of the bond issuance monies appropriated for the morgue. Cmr. Gutierrez stated that the funds needed to be defeased before the property could be placed under the county

property rolls. Cmr. Sciaraffa stated that he did not want the CRTC building to be used for the county's morgue since he had other plans for the building.

Cmr. Gutierrez motioned to approve the item as submitted. Cmr. Sciaraffa seconded the motion.

Motion carried 5-0 by unanimous consent.

- Item No. 10 Report by Economic Development Director and Radio Communications Director regarding federal grant submission, with potential award, for "Interoperability Attainment," and the construction of the new Webb County Radio Tower with discussion and possible action to direct staff as necessary to ensure that the two programs are compatible and that the new equipment and tower to be constructed are consistent with interoperability attainment requirements.

Mr. Juan Vargas, Economic Development Director, stated that the report assessed the needs to achieve Level 4 attainment. He stated that he submitted a list of the equipment to the court last week and Mr. Mario Cavazos would advise the court of the equipment. Mr. Mario Cavazos, Radio Communication Director, stated that the new equipment will extend their radio coverage to Cotulla and possibly attain Level 6 by 2010 – 2012. He stated that the prices shown for the equipment are based on retail prices and that RFP's have not been requested for the equipment. He stated that the grant has not been awarded but the application has been submitted. He stated that the monies allocated for the tower are a separate issue. Mr. Raul Casso, Chief of Staff, stated that this item was brought before the court to advise them of the grant applications and whether the equipment would be compatible.

Cmr. Gutierrez motioned to approve the item as submitted. Cmr. Sciaraffa seconded the motion.

Motion carried 5-0 by unanimous consent.

- Item No. 11 Status report on retainer agreement with the firm of R.W. Harden & Assoc. for the drilling of a water well on the Carrizo Wilcox Aquifer as part of Webb County's pursuit of a secondary water source, with discussion and possible action to direct staff to take action as necessary to ensure timely commencement of said project.

Mr. Homero Ramirez, County Attorney, stated that no action was required for this item and stated that the contract should be received by his office by tomorrow.

- Item No. 13 Report on recent activity by the Rio Grande Regional River Authority.

Mr. Tomas Rodriguez, County Engineer, was present to address the court. He stated that he has attended 5 of the 6 meetings held in Waco. Judge Bruni stated that the

levels at Falcon and Amistad have dropped and this issue needs to be kept in the forefront.

- Item No. 14 Status report on the retainer agreement with the law firm of Watt, Beckworth, Thompson, & Henneman, L.L.P. for the recuperation of any damages owed on Webb County oil and gas wells, and oils and gas wells on Webb County school lands.

Judge Bruni stated that he has never worked with this company. Mr. Homero Ramirez, County Attorney, stated that no action was required on this item and that the contract should be received by his office by tomorrow morning.

- Item No. 15 Status report on the Youth Village, with discussion and possible action to direct staff to take action as necessary to ensure timely commencement of the Youth Village Project

Mr. Tomas Rodriguez, County Engineer, stated that the plat will be placed for approval on the Planning Commission's meeting of June 11th. He stated that the plat needed to be recorded prior to having the deed presented to the court. He stated that the civil work on the drainage plans is pending finalization and should be completed within 15-25 days.

- Item No. 16 Discussion and possible action to transfer \$43,000.00 from fund 627 Series 2001 Interest Income to Fund 679 Series 2001 Construction in Progress J.P. Court South Laredo.

Cmr. Sciaraffa motioned to approve the item as submitted. Cmr. Garza seconded the motion.

Motion carried 5-0 by unanimous consent.

- Item No. 17 Discussion and possible action to authorize the Road & Bridge Department to distribute trash cans to the residents of Las Pilas I, Las Pilas II, Pueblo East, Hillside Acres I, Hillside Acres II, Valle Verde, East Gate Acres, Village East, Los Centenarios, Los Arcos, Los Fresnos, Los Nopalitos and Los Mesquites, and that an additional garbage pick-up route be added to the Road & Bridge trash collection routes and trash collection days be designated as Tuesday and Fridays and any other matters incident thereto.

Cmr. Gutierrez stated that she wanted to add the people living on the south side to be able to receive the services. She stated that it would take approximately \$450 to end the year and \$1,800 for the next year in tipping fees. She stated that this would alleviate the need to send code enforcement officers as well as cut down on the amount of trash burnings. She stated that this was a very important service that needs to be provided. She stated that there is no fee schedule in place for trash pick

up and that this is another issue that needed to be addressed by the court. Cmr. Sciaraffa stated that a survey needed to be done before this item is approved. He stated that the Road and Bridge Department is already stretched to the limits and doesn't want to burden them with additional duties since the roads are a primary concern. Judge Bruni stated that a study needed to be done on the impact that this would have on the Road and Bridge department. He stated that he was not against providing this service but stated that the need for a fee schedule needed to be addressed. Mr. Jose Luis Ramos, Road and Bridge Superintendent, stated that the following colonias had garbage pick up without charging any fees: Peñitas West, Los Botines, La Presa, San Enrique, San Carlos and Tanquecitos I & II. Cmr. Garza stated that the court needed to be equitable with all residents in Laredo do pay for garbage pick up. He stated that it would be unfair to have the citizens of Laredo subsidize trash pick up for the colonia residents as well as a clean up campaign. Mr. Homero Ramirez, County Attorney, stated that illegal dumping is a punishable offense and feels that a clean up campaign would give the impression that dumping is okay since the county will be cleaning up the trash. Cmr. Gutierrez stated that the court needed to be equitable to all the colonias and understands the need for a fee schedule. She stated that she would like to set a definitive timeline for garbage pick up. She thanked Mr. Ramirez for his prompt response and action in regards to a property in the colonias that was both a fire and health hazard. She stated that there are several demolition companies that are responsible for some of the illegal dumping that has occurred in the colonias. Cmr. Sciaraffa stated that he would like to establish an environmental task force to alleviate the County Attorney's staff and congratulated the Road and Bridge department for the road improvements made. Cmr. Gutierrez stated that it was possible to go into an interlocal agreement with the City of Laredo Water Utilities department for the collection of trash fees instead of creating an additional department.

Cmr. Sciaraffa motioned to table this item and wait for a faculty recommendation within thirty days. Cmr. Cortez-Brunner seconded the motion.

Motion carried 5-0 by unanimous consent.

Item No. 18 Discussion and possible action to transfer \$137,600 from Bond Series 2001, County Morgue to Bond Series 2001, Villa Antigua Border Heritage Museum Project.

Cmr. Gutierrez stated that this was for a very important historical project. She also requested that the court consider a possible additional funding of \$75,000.

Cmr. Gutierrez motioned to approve the item as submitted. Cmr. Garza seconded the motion.

Judge Bruni stated that he was not against the Villa Antigua project but concerned about the funding source for this item since previous transfer requests from this account for the Constable's Office were fought by members of the court. He stated that these monies would not be replaced through future bond issuances. Cmr. Sciaraffa stated that this project will have a great impact on economic tourism and that the sales tax and hotel motel tax revenues will offset the costs. Cmr. Gutierrez

stated that the request from the Constable's Office was to transfer the Medical Examiner slot, which is needed due to the expertise of the needs of the morgue.

Motion carried 5-0 by unanimous consent.

Cmr. Garza motioned to move up Item No. 23 and No. 31. Cmr. Gutierrez seconded the motion.

Motion carried 5-0 by unanimous consent.

Item No. 23 Discussion and possible action to hire up to 2 students from Texas A&M International University to do their summer internship with the county. These funds would be taken from account number 001-0101-5005 temporary part time employment. This item is sponsored by Commissioner Jerry Garza.

Cmr. Garza stated that he would be sponsoring the interns and that they would be placed within the county respective to their fields of study. Dr. Michael Yoder, TAMIU Professor, stated that he has been promised that the students will be challenged and not be placed as "go-for's." Mr. Carlos Villarreal, Executive Administrator, assured Dr. Yoder that there will be some intense work involved.

Cmr. Garza motioned to approve item as submitted and have the interns report to Mr. Carlos Villarreal for placement. Cmr. Gutierrez seconded the motion.

Motion carried 5-0 by unanimous consent.

Item No. 31 Discussion and possible action to approve and adopt by Resolution and Order Election Systems & Software's ("ES&S") *iVotronic* Direct Record Electronic (DRE) voting system, as recommended by the DRE committee, in order to comply with federal law, "Help America Vote Act" (HAVA). This Direct Record Electronic (DRE) Voting System will be used in conjunction with Webb County's current electronic ("Optical Scan") voting system for all elections conducted in Webb County beginning January 2006.

Mr. Carlos Villarreal, Executive Administrator, stated that he was working on obtaining additional units for this project and stated that he would present the contract to the judge for his signature. Mr. Donald Blakely, ES&S representative, invited the court to see a demonstration of the system and software. Judge Bruni called for a short recess.

RECESS (3:33 PM to 3:57 PM)

Cmr. Garza motioned to approve item as submitted. Cmr. Sciaraffa seconded the motion.

Motion carried 5-0 by unanimous consent.

- Item No. 19 Discussion and possible action to approve a line item transfer from Park Development Pct. 3 Acct. No. 695-6004-8710-3 for \$7,600.00 to Capital Outlay Series 2002 Acct. No. 696-0104-8801 to purchase 1 copy machine for the Economic Development Department.

Cmr. Garza motioned to approve item as submitted. Cmr. Sciaraffa seconded the motion.

Motion carried 5-0 by unanimous consent.

- Item No. 20 Discussion and possible action to create a Webb County Parks and Recreation Advisory Committee.

Cmr. Garza motioned to approve item as submitted. Cmr. Sciaraffa seconded the motion.

Motion carried 5-0 by unanimous consent.

- Item No. 21 Discussion and possible action to set salary of interim road and bridge director commensurate with director salary, and granting County Judge Louis H. Bruni authority to sign all relevant documents.

Cmr. Cortez-Brunner motioned to approve item as submitted. Cmr. Sciaraffa seconded the motion.

Motion carried 5-0 by unanimous consent.

Mr. Homero Ramirez, County Attorney, stated that this item will be retroactive to the date of hire.

- Item No. 22 Discussion and possible action to approve, or modify if necessary, and finalize for publication Requests for Qualifications for:
Road and Bridge Superintendent;
Management Information Systems Director; and,
Community Action Agency Director.

Mr. Carlos Villarreal, Executive Administrator, stated that he had submitted his recommendations to the court on Friday and awaited their decision.

Road and Bridge Superintendent;

Cmr. Sciaraffa recommended that the applicant have a Bachelor's Degree or seven (7) years administrative experience.

Cmr. Sciaraffa made a motion to that effect. Judge Bruni seconded the motion with the addition that the requirement for a professional engineering degree be deleted.

Cmr. Garza stated that a Bachelor's Degree should be required due to the importance of a higher education. He stated that they are sending a mixed message to the youth by telling them to continue their education and get a degree and then not requiring it for the department heads. Cmr. Gutierrez stated that the applicants should have experience or a degree in engineering and/or construction management. Cmr. Sciaraffa stated that education is a priority but also wants to open the position to more people.

Motion carried 3-2 with Cmr. Gutierrez and Cmr. Garza voting against.

Management Information Systems Director

Cmr. Gutierrez stated that the MIS Director needed to be highly skilled due to the specialty of this field. She recommended that the applicant must have a Bachelor's Degree with a Master's degree preferred. She also stated that they should have ten (10) years experience with managerial skills in Management Information Systems or Computer Information Systems.

Cmr. Gutierrez made a motion to that effect. Cmr. Sciaraffa seconded the motion.

Motion carried 5-0 by unanimous consent.

Community Action Agency Director

Cmr. Cortez-Brunner recommended that a Bachelor's Degree be preferred but that 10-15 years experience could be substituted.

Cmr. Cortez-Brunner made a motion to that effect. Cmr. Sciaraffa seconded the motion.

Cmr. Garza stated that he would like to go on record that he was concerned about requiring degrees for some positions and not for others. He stated that this department in particular was responsible for millions of dollars in grant monies as well as for numerous services provided to the public. He stated that it was very important to have both an education and experience. Cmr. Gutierrez echoed Cmr. Garza's concerns and stated that the court needed to look for the best candidates possible and feels that the court is lowering the bar instead of hiring the bar.

Motion carried 3-2 with Cmr. Gutierrez and Cmr. Garza voting against.

- Item No. 24 Discussion and possible action to modify slot #1238 Center Aide Rural, from Regular Full-time, with benefits to Temporary Part-time no Benefits. Effective May 24, 2005. Funding comes from Emergency Food & Shelter Program. No impact on General Fund.

Cmr. Gutierrez motioned to approve item as submitted. Cmr. Garza seconded the motion.

Motion carried 5-0 by unanimous consent.

Item No. 25 Discussion and possible action to authorize the following line item transfer:

From:	Dues and Membership	001-2502-6007	\$900.00
To:	Equipment Rental	001-2502-6014	\$400.00
	Minor apparatus & Tools	001-2502-6224	\$500.00

Cmr. Gutierrez motioned to approve item as submitted. Cmr. Sciaraffa seconded the motion.

Motion carried 5-0 by unanimous consent.

Item No. 26 Discussion and possible action to enter into a five (5) year lease (May 1, 2005 through April 30, 2010) with First Christian Church for approximately 35,760 square feet of unimproved real property situated at 2409 Guerrero Street, in Laredo, Webb County, Texas for use as a Head Start Program Center and authorizing the County Judge to execute any and all relevant documents. [Requested by Head Start Program]

Cmr. Gutierrez motioned to approve item as submitted. Cmr. Sciaraffa seconded the motion.

Motion carried 5-0 by unanimous consent.

Item No. 27 Discussion and possible action to enter into a one (1) year (May 23, 2005 through May 22, 2006) subscriber agreement with Autophone of Laredo to provide Nextel Communication Services for one (1) Nextel phone/walkie-talkie radio. The one-time cost of the Nextel radios is NINETY-NINE CENTS (\$0.99) with a total monthly communication air-time service fee for the radio of FORTY-NINE DOLLARS AND FORTY-FIVE CENTS (\$49.45) for a total cost of FIVE HUNDRED AND NINETY-THREE DOLLARS AND FORTY CENTS (\$593.40) over the term of the agreement, and authorizing the county judge to execute all relevant documents. [Requested by Rio Bravo Community Center, Account No. 001-0109-6004 (Telephone)].

Cmr. Sciaraffa motioned to approve item as submitted. Cmr. Gutierrez seconded the motion.

Motion carried 5-0 by unanimous consent.

- Item No. 28 Discussion and possible action to approve a four month extension of the Edward Byrne Memorial Justice Assistance Grant Program (JAG) from the governor's Criminal Justice Division of the Laredo Multi-Agency Narcotics task force Grant the extension will be from June 1, 2005 thru September 30, 2005. Because the Federal Justice Assistance Grant award will be received by the state until later in the summer and to facilitate continued operation, CJD is authorized to extend existing Byrne funding grants through September 30, 2005.

Cmr. Gutierrez motioned to approve item as submitted. Cmr. Sciaraffa seconded the motion.

Motion carried 5-0 by unanimous consent.

- Item No. 29 Discussion and possible action to approve a resolution authorizing the submission of a grant application to the Office of Rural Community Affairs for the 2005 Colonia Construction Fund. This grant will provide funding for water improvements in Mirando, Oilton, and Bruni area. (Drilling of one Water Well in each community and related piping) Grant amount not to exceed \$500,000.00, In-kind contribution of \$45,000.00 towards the construction, oversight, existing County Staff time, Rural Water Supply Corporation resources, and fiscal services for this water improvements project.

Cmr. Sciaraffa motioned to approve item as submitted. Cmr. Gutierrez seconded the motion.

Motion carried 5-0 by unanimous consent.

- Item No. 30 Discussion and possible action to amend the Webb County Housing Rehabilitation Guidelines to include new Self-Help Center TCDP Contract Number 724003 and delete closed out TCDP Contract Number 721003. The Housing Rehabilitation Guidelines will conform to the Texas Department of Housing and Community Affairs Office of Colonia Initiative (TDHCA-OCI), Office of Rural Community Affairs (ORCA), Texas Department of Housing and Community Affairs-HOME program (TDHCA-HOME) and in compliance with HUD housing regulations. The rehabilitation guidelines will be used by all existing and future housing rehabilitation programs.

Cmr. Sciaraffa motioned to approve item as submitted. Cmr. Gutierrez seconded the motion.

Motion carried 5-0 by unanimous consent.

- Item No. 32 Discussion and Possible Action Authorizing Change Order No. 3 to Gilbert Texas Construction, Inc. Decreasing the Contract by \$5,785.37 to a total of \$1,867,475.27.

Cmr. Gutierrez motioned to approve item as submitted. Cmr. Sciaraffa seconded the motion.

Motion carried 5-0 by unanimous consent.

- Item No. 33 Discussion and Possible Action Authorizing Road & Bridge Department to pay the Texas Dept. of Transportation (TXDOT) \$129,395.00 from its fund balance for the construction of nine Off State System Bridges. TXDOT estimates the total cost of the nine bridges to be \$2,940,830.00. The County's share is 4.4 per cent of the total cost.

Cmr. Sciaraffa motioned to approve item as submitted. Cmr. Gutierrez seconded the motion.

Motion carried 5-0 by unanimous consent.

- Item No. 34 Discussion and Possible Action to Authorize the following line item transfer:

From:

	Administrative Travel	\$2,000.00
001-0106-6011	Training & Education	\$1,500.00
001-0106-6402	Repairs & Maintenance of Equipment	\$10,000.00
001-0106-6502	Janitorial Supplies	\$10,000.00
001-0106-6703	Landfill Fees	\$700.00
001-6002-5601	Administrative Travel	\$1000.00
001-6002-6007	Dues & Membership	\$200.00
001-6002-6014	Equipment Rental	\$500.00
001-6002-6202	Uniforms	\$900.00
001-6002-6204	Fuel & Lubricants	\$1,000.00
001-6002-6224	Minor Apparatus & Tools	\$200.00
001-6002-6703	Landfill Fees	\$1,000.00
	Total	\$ 29,000.00

To:

001-0106-6204	Fuel & Lubricants \$5000.00	
001-0106-6205	Materials & Supplies	\$200.00
001-0106-6401	Repairs & Maintenance of Buildings	\$23,800.00
	Total	\$29,000.00

Cmr. Sciaraffa motioned to approve item as submitted. Cmr. Gutierrez seconded the motion.

Motion carried 5-0 by unanimous consent.

- Item No. 35 Discussion and possible action to approve the Head Start Refunding Application for Fiscal Year 2005 - 2006 (September 1, 2005 through August 31, 2006) for a Grand Total of \$9,675,620 (Federal Share = \$7,740,496 and In-Kind = \$1,935,124).

Cmr. Gutierrez motioned to approve item as submitted. Cmr. Sciaraffa seconded the motion.

Motion carried 5-0 by unanimous consent.

- Item No. 36 Discussion and possible action to grant Final Plat Approval to the Los Corralitos Subdivision under the provisions of Section 364.57 of the Webb County Model Subdivision Rules (subdivisions that occurred prior to September 1, 1989) contingent upon compliance with staff comments as recommended by the Planning Advisory Board on May 12, 2005.

Cmr. Sciaraffa motioned to approve item as submitted. Cmr. Garza seconded the motion.

Ms. Rhonda Tiffin, Planning Director, read the document into the record. Mr. Homero Ramirez, County Attorney, recommended approval of the final plat contingent upon compliance.

Motion carried 5-0 by unanimous consent.

- Item No. 37 Discussion and possible action for the Commissioners Court to award/reject the following bids:

Bid 2005-60	High & Mighty Builders, LLC	\$12,100.00
	Re: Alma Gomez	
Bid 2005-61	High & Mighty Builders, LLC	\$12,650.00
	Re: Susan Vela	
Bid 2005-62	High & Mighty Builders, LLC	\$13,300.00
	Re: Maria Romo	

Cmr. Sciaraffa motioned to award Bids 2005-60, 2005-61 and 2005-62 as recommended. Cmr. Garza seconded the motion.

Motion carried 5-0 by unanimous consent.

- Item No. 38 Discussion and possible action to authorize a payment to Southwestern Bell Communications (SBC) in the amount of \$7,070.00.

Cmr. Sciaraffa motioned to approve item as submitted. Cmr. Gutierrez seconded the motion.

Mr. Eloy Ramirez, Purchasing Agent, advised the court that several charges were disputed in regards to the phone bills. He stated that the original amount being contested was \$15,000 and that the \$7,070 is for late charges that SBC will not waive. Ms. Delia Perales, County Treasurer, stated that these are late charges from 1998-2002, which was during the previous administration. Mr. Jerry Castro, SBC representative, stated that SBC has been struggling to get this bill paid. He stated that they would be willing to negotiate a settlement. Cmr. Garza stated that he did not want to get into this situation again.

Cmr. Gutierrez motioned to allow Mr. Carlos Villarreal, the County Attorney and SBC negotiate a settlement amount. Cmr. Cortez-Brunner seconded the motion.

Motion carried 5-0 by unanimous consent.

Item No. 39 Discussion and possible action for the Commissioners Court to award/reject the following bids:

Bid 2005-60 Rosa De Leon

Recommendation: Reject due to over the rehab budget and will be re-bid.

Bid 2005-61 Maria Celis

Recommendation: Reject due to over the rehab budget and will be re-bid.

Bid 2005-62 Veronica Gonzalez

Recommendation: Reject due to over the rehab budget and will be re-bid

Cmr. Sciaraffa motioned to reject the above bids. Cmr. Gutierrez seconded the motion.

Motion carried 5-0 by unanimous consent.

Item No. 40 Discussion and possible action to award/reject the following bid sponsored by Commissioner Cindy C. Brunner Pct. 4:

Bid 2005-49 One (1) 24 x 64 Sq. Ft. Modular Building for La Ladrillera
Re: TXMAS Contract 3-7110160

Cmr. Garza motioned to award Bid 2005-49 as recommended. Cmr. Sciaraffa seconded the motion.

Mr. Eloy Ramirez, Purchasing Agent, stated that the cost for the modular building would be \$64,200 and should be delivered within 90 days.

Motion carried 5-0 by unanimous consent.

Mr. Homero Ramirez, County Attorney, stated that for Item No. 38, there were two motions made and that even though the first motion dies, he requested that it be withdrawn as a matter of formality.

Cmr. Sciaraffa withdrew his initial motion for Item No. 38. Cmr. Gutierrez withdrew her second.

- Item No. 41 Discussion and possible action to authorize the Purchasing Agent to purchase one (1) 35cpm digital copier in the amount of \$7,600.00 for the Economic Development Department.

Cmr. Sciaraffa motioned to approve item as submitted. Cmr. Gutierrez seconded the motion.

Motion carried 5-0 by unanimous consent.

- Item No. 42 Discussion and possible action to approve the following line item transfer:

From:	001-7002-6205	Materials & Supplies	\$69,000.00
	001-0108-6402	Equipment Maintenance	\$ 5,000.00
to:	010-7002-6204	Fuel & Lube	\$66,000.00
	010-7002-6014	Equipment Rental	\$ 3,000.00
	001-0108-6224	Minor Apparatus & Tools	\$ 5,000.00

Cmr. Gutierrez motioned to approve item as submitted. Cmr. Sciaraffa seconded the motion.

Cmr. Garza motioned to move into Executive Session. Cmr. Sciaraffa seconded the motion.

Motion carried 5-0 by unanimous consent.

EXECUTIVE SESSION (4:35 PM to 5:30 PM)

Judge Bruni reconvened the meeting and stated that no action was taken while in Executive Session.

- Item No. 44 Discussion and possible action regarding employment grievance filed by former Webb County M.I.S. Director Guillermo Garcia. Closed session may be requested pursuant to Texas Government Code Title 5, Subchapter D, Section 551.071 (Consultation with Attorney).

Mr. Homero Ramirez, County Attorney, stated that this item dealt with a grievance filed by a former employee and stated that no action was required.

- Item No. 45 Discussion and possible action regarding employment grievance filed by former Larga Vista Community Center Director Francisco Gonzalez, Jr. [Executive Session is requested pursuant to Texas Government Code Title 5, Subchapter D, Section 551.071 (Consultation with Attorney)]

Mr. Homero Ramirez, County Attorney, stated that this item dealt with a grievance filed by a former employee and stated that no action was required.

- Item No. 46 Discussion and possible action regarding employment grievance filed by former Indigent Services Director Alicia H. Medina [Executive Session is requested pursuant to Texas Government Code Title 5, Subchapter D, Section 551.071(Consultation with Attorney) and Section 551.074 (Personnel Matters).

Mr. Homero Ramirez, County Attorney, stated that this item dealt with a grievance filed by a former employee and stated that no action was required.

- Item No. 47 Discussion and possible action regarding employment grievance filed by former Webb County Road and Bridge Superintendent Jose Luis Rodriguez. [Executive Session is requested pursuant to Texas Government Code Title 5, Subchapter D, Section 551.071 (Consultation with Attorney)].

Mr. Homero Ramirez, County Attorney, stated that this item dealt with a grievance filed by a former employee and stated that no action was required.

- Item No. 48 Discussion and possible action concerning licensing agreement between Webb County and Laredo International Fair & Exposition, and concerning purported lease agreement between Laredo International Fair & Exposition and Gilbert Texas Construction, L.P. [Executive Session is requested pursuant to Texas Government Code Title 5, Subchapter D, Section 551.071 (Consultation with Attorney)].

Mr. Homero Ramirez, County Attorney, stated that he did not see the need for new director and stated that no action was necessary.

- Item No. 49 Discussion and possible action regarding the recommendation of the Webb County Employee Grievance Committee concerning the grievance of Aurora P. Saucedo, Executive Secretary/ Billings Analyst for the Webb County Treasurer. Executive Session is requested pursuant to Texas Government Code, Title 5, Subchapter D, Sections 551.071 (Consultation with County Attorney) and 551.074 (Personnel Matters).

Mr. Homero Ramirez, County Attorney, stated that he advised court of the recommendation of the Grievance Committee and awaited their decision.

Judge Bruni motioned to deny any salary increase at this time. Cmr. Sciaraffa seconded the motion.

Motion carried 5-0 by unanimous consent.

- Item No. 50 Discussion and possible action regarding a delinquent tax suit involving the Camino Columbia toll road Cause No. 2004TXA00446-D1 United Independent School District vs. Camino Columbia, Inc. et. al., in the 49th Judicial District Court of Webb County, Texas and any matters incident thereto. [Executive Session may be requested pursuant to Texas Government Code Title 5, Subchapter D, Section 551.071 (Consultation with Attorney)]

Mr. Homero Ramirez, County Attorney, stated that the county's delinquent tax firm submitted some information that needed to be presented to the court.

Ms. Ana Cavazos-Ramirez, delinquent tax attorney, stated that there will be a hearing on this matter on May 31 and needed to inform the court prior to that. She stated that Webb County and U.I.S.D. are the only taxing entities involved in this matter. She stated that the original owners of Camino Colombia were foreclosed on by the mortgage holders but that prior to the foreclosure, the road was sold to the State of Texas. She stated that the original owners of the Camino Colombia were a corporation and their only asset was the toll bridge and there are no other assets to go after. She stated that the county could not foreclose against the state. She stated that Webb County is owed between \$17-89,000 and U.I.S.D. is owed approximately \$282,000. She stated that the State of Texas has filed a motion to dismiss the case since Webb County is a subdivision of the State and cannot tax that State. She stated that the county will have to bite the bullet and absorb the taxes owed. Judge Bruni stated that it was a shameful thing that was done and that the ones that will suffer the most are the children that have been cheated out of monies for their education. Mr. Carlos Villarreal, Executive Administrator, stated that the State of Texas purchased the property and the amount that had been discussed was approximately \$75 million. He stated that the estimated cost of construction was approximately \$40 million. Cmr. Gutierrez stated that the children of U.I.S.D. are going to be out of this money and stated that it was an outrage that taxes continued to be owed before construction began and even after the foreclosure. She stated that foreclosures are done every month and many people lose their homes simply because they do not have the means to pay their taxes. She stated that the owners of the toll road are persons of means and feels that they should be responsible for what they owe and do what is right. Judge Bruni concurred with Cmr. Gutierrez and stated that the people who owe this money are land developers and have the means necessary to pay the taxes owed. He stated that it was shameful and sinful to do this.

- Item No. 51 Adjournment

Cmr. Gutierrez motioned to adjourn the meeting. Cmr. Sciaraffa seconded the motion.

Motion carried 5-0 by unanimous consent.